

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

COIN CENTER, *et al.*,

Plaintiffs-Appellants,

v.

SECRETARY, U.S. DEPARTMENT OF THE
TREASURY, *et al.*,

Defendants-Appellees.

No. 23-13698

CONSENT MOTION TO EXTEND ABEYANCE FOR 31 DAYS

CERTIFICATE OF INTERESTED PERSONS

Pursuant to Eleventh Circuit Rule 26.1-1, counsel for Defendants-Appellees the Secretary of the U.S. Department of the Treasury, et al., certify that the following have an interest in the outcome of this appeal:

Andreessen Horowitz, Amicus Curiae

Bank Policy Institute, Amicus Curiae

Bessent, Scott, Secretary of the Treasury

Blockchain Association, Amicus Curiae

Bonta, Christian, Attorney for Plaintiffs-Appellants

Boynton, Brian M., Attorney for Defendants-Appellees

Burnham, James, Attorney for Amici Blockchain Association & DeFi
Education Fund

Coin Center, Plaintiff-Appellant

Consovoy McCarthy PLLC, Attorneys for Plaintiffs-Appellants

Coogle, Christine L., Attorney for Defendants-Appellees

DeFi Education Fund, Amicus Curiae

Department of Treasury, Defendant-Appellee

Doe, John, Plaintiff-Appellant

Elliott, Stephen M., Attorney for Defendants-Appellees

Evangelista, Alessio, Attorney for Amicus Curiae Andreessen Horowitz

Gacki, Andrea M., Former Director of the Office of Foreign Assets Control

Haas, Alexander, Attorney for Defendants-Appellees

Harris, Jeffrey M., Attorney for Plaintiffs-Appellants

Healy, Christopher, Attorney for Defendants-Appellees

Hetzel, Jeffrey S., Attorney for Plaintiffs-Appellants

Hinshelwood, Brad, Attorney for Defendants-Appellees

Hoffman, David, Plaintiff-Appellant

Jones Day, Attorneys for Amici Blockchain Association & DeFi Education
Fund

Kelleher, Diane, Attorney for Defendants-Appellees

Kinchen, John, Attorney for Amicus Curiae Bank Policy Institute

Lea, Brian, Attorney for Amici Blockchain Association & DeFi Education
Fund

Lehotsky Keller Cohn LLP, Attorneys for Amicus Paradigm Operations LP

Liu, Jessie K., Attorney for Amicus Andreessen Horowitz

Office of Foreign Assets Control, Defendant-Appellee

Norris, Cameron T., Attorney for Plaintiffs-Appellants

O'Sullivan, Patrick, Plaintiff-Appellant

Paradigm Operations LP, Amicus Curiae

Sasso, Michael, Attorney for Plaintiffs-Appellants

Sasso & Sasso, P.A., Attorneys for Plaintiffs-Appellants

Seira, Rodrigo, Attorney for Amicus Paradigm Operations LP

Skadden Arps, Attorney for Amicus Andreessen Horowitz

Smith, Bradley T., Director of the Office of Foreign Assets Control

Smyser Kaplan & Veselka LLP, Attorneys for Amicus Bank Policy Institute

Sutherland, J. Abraham, Attorney for Plaintiffs-Appellants

Swingle, Sharon, Attorney for Defendants-Appellants

Wetherell, Hon. T. Kent, District Court Judge

Yarger, Katherine, Attorney for Amicus Paradigm Operations LP

Yellen, Janet, Former Secretary of the Treasury

/s/ Brad Hinshelwood
BRAD HINSHELWOOD

Pursuant to Federal Rule of Appellate Procedure 27, the United States respectfully moves to hold this appeal in abeyance for a further 31 days—that is, until April 21, 2025. Plaintiffs consent to the relief requested in this motion.

1. This appeal arises from the decision of the Office of Foreign Assets Control, a component of the Department of the Treasury, to designate the Tornado Cash entity pursuant to Executive Orders 13,694 (relating to certain cyber activities that threaten the United States) and 13,722 (relating to North Korea’s nuclear and missile programs).

2. The Court heard oral argument in this appeal on November 19, 2024. The Court has not yet issued a decision.

3. On March 4, 2025, the government requested that this appeal be placed in abeyance until March 21, 2025, to allow new agency officials sufficient time for consultation and consideration. This Court granted the government’s motion.

4. On March 21, 2025, the Department of the Treasury exercised its “discretion to remove the economic sanctions against Tornado Cash” that gave rise to this litigation. *Tornado Cash Delisting*, U.S. Dep’t of the Treas. (Mar. 21, 2025), <https://home.treasury.gov/news/press-releases/sb0057>; see *Cyber-related Designation Removal; North Korea Designation Update and Removal*, Office of Foreign Assets Control (Mar. 21, 2025), <https://ofac.treasury.gov/recent-actions/20250321>.

5. The government respectfully requests that the Court keep this appeal in

abeyance for a further 31 days so the government may consult with plaintiffs about next steps in this litigation. Plaintiffs have authorized us to state that they consent to the relief requested in this motion.

Respectfully submitted,

SHARON SWINGLE

/s/ Brad Hinschelwood

BRAD HINSHELWOOD

(202) 353-6880

Attorneys, Appellate Staff

Civil Division

U.S. Department of Justice

950 Pennsylvania Ave., N.W.

Room 7256

Washington, D.C. 20530

Counsel for the United States

MARCH 2025

CERTIFICATE OF COMPLIANCE

Pursuant to Fed. R. App. P. 32(g), I hereby certify that this motion complies with the requirements of Fed. R. App. P. 27(d)(1)(E) because it has been prepared in 14-point Garamond, a proportionally spaced font, and that it complies with the type-volume limitation of Fed. R. App. P. 27(d)(2)(A) because it contains 254 words according to the count of Microsoft Word.

/s/ Brad Hinshelwood
BRAD HINSHELWOOD